REMARKS

Claims 11, 12 and 56-58 were presented for examination and claims 11, 12 and 56-58 were rejected. In the present amendment, claims 11 and 56 have been amended and claims 92-105 have been added. Support for the amended and added claims can be found in paragraphs [0013], [0070] , [0073] and [0121] of the Specification. No new matter has been introduced. Upon entry of the present amendment, claims 11, 12, 56-58 and 92-109 will be currently pending in this application of which claims 11 and 56 are independent. Applicants submit that claims 11, 12, 56-58 and 92-109 are in condition for allowance.

The following comments address all stated grounds of rejection. Applicants respectfully traverse all rejections and urge the Examiner to pass the claims to allowance in view of the remarks set forth below.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

I. Claims 11, 12 and 56-58 Rejected Under 35 U.S.C. §103

Claims 11, 12 and 56-58 are rejected under 35 U.S.C. 103(a) as unpatentable over US Patent No. 6,484,206 to Crump et al. ("Crump") in combination with US Patent No. 7,010,300 to Jones et al. ("Jones"). Claim 12 depends on and incorporates all the patentable subject matter of independent claim 11, and claims 57-58 depend on and incorporate all the patentable subject matter of independent claim 56. Applicants respectfully traverse this rejection and submit that Crump and Jones, alone or in combination fail to teach or suggest each and every element of the claimed invention.

A. Independent Claims 11 and 56 Patentable over Crump and Jones

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. Amended independent claims 11 and 56 are directed towards a method and system, respectively for providing a client with a reliable connection to a host service. These claims recite an agent of a client establishing a first connection between a client and a first protocol service using a first protocol communicated over a transport layer protocol, the first protocol being an application level tunneling protocol for encapsulating a plurality of second protocols. The agent is configured to encapsulate the secondary protocol within the first protocol and communicate to a host service using the second protocol. Applicants submit that Crump and Jones, alone or in combination, fail to teach or suggest these features of independent claims 11 and 56, as amended.

The Examiner admits Crump does not teach maintaining the second connection upon failure of the first connection and continuing to maintain the request of data packets most recently transmitted via the first connection. The Examiner cites Jones for this purpose. Applicants respectfully disagree and submit that the cited section of Jones (col. 30, lines 30-64) fails to teach or suggest maintaining either the second connection or a queue of most recently transmitted data packets.

Crump does not teach or suggest an agent of a client configured to encapsulate the secondary protocol within the first protocol and communicate to a host service using the second protocol and to establish a first connection between a client and a first protocol service using the first protocol over a transport layer protocol. Rather, Crump uses a translating apparatus that translates communications of a first protocol of the client to communications of a second protocol. Not only does Crump not disclose an agent of the client communicating with a host

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service using the second protocol, Crump does not encapsulate the second protocol within a first protocol for communications from the client to a first protocol service. Thus, Crump does not teach or suggest each and every feature of the agent of the client as in the claimed invention.

Further, in Crump clients at two ends of the system recognize different protocols. As shown in figure 4B of Crump, a client at one end of the system recognizes the X.25 protocol while a client at the other end of the system recognizes the TCP/IP protocol. The TCP client of Crump will not recognize the X.25 protocol if the X.25 protocol is encapsulated within the TCP protocol. Crump uses a translating apparatus to translate one protocol to the other rather than encapsulating one within the other. Therefore, due to the nature of the system disclosed by Crump, it would not have been obvious to one ordinarily skilled in the art to modify the system of Crump to encapsulate one protocol within the other.

Nor does Jones teach or suggest an agent of a client configured to encapsulate the secondary protocol within the first protocol and communicate to a host service using the second protocol and to establish a first connection between a client and a first protocol service using the first protocol over a transport layer protocol. Jones is directed to systems and methods for intersystem wireless communication session handoffs via wireless protocols. Like Crump, Jones provides translations and changes between protocols. Thus, Jones does not teach or suggest each and every feature of the claimed invention.

Because Crump and Jones, alone or in combination, fail to teach or suggest each and every element of independent claims 11 and 56, Applicants respectfully submit that claims 11 and 56 are patentable and in condition for allowance. Claim 12 depends on and incorporates all the patentable subject matter of independent claim 11. Claims 57 and 58 depend on and incorporate all the patentable subject matter of independent claim 56. Thus, Applicants submit that claims 12, 57 and 58 are also patentable and in condition for allowance. Accordingly,

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Applicants request the Examiner to withdraw the rejection of claims 11, 12 and 56-58 under 35 U.S.C. §103.

PATENTABILITY OF NEW CLAIMS 92-109

A. New Dependent Claims 92-109 Patentable Over Crump and Jones

New dependent claims 92-99 and 106-107 depend on and incorporate all the patentable subject matter of amended independent claim 11. The Applicants submit that dependent claims 92-99 and 106-107 are patentable and in condition for allowance. New dependent claims 100-105 and 108-109 incorporate all the limitations of amended independent claim 56. For reasons discussed above in connection with the rejection of the independent claims, Applicant submits that independent claims 11 and 56 as amended are patentable and in condition for allowance. Thus, Applicants submit that claims 100-105 and 108-109 are also patentable and in condition for allowance.

CONCLUSION

In light of the aforementioned amendments and arguments, Applicants contend that each of the Examiners rejections has been adequately addressed and all of the pending claims are in condition for allowance. Accordingly, Applicants respectfully request reconsideration, withdrawal of all grounds of rejection, and allowance of all of the pending claims.

Should the Examiner feel that a telephone conference with Applicants' attorney would expedite prosecution of this application, the Examiner is urged to contact the Applicants' attorney at the telephone number identified below.

Respectfully submitted,

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Dated: <u>April 11, 2008</u>

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